

United States Courts
Southern District of Texas
FILED

FEB 23 2021

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

UNITED STATES DISTRICT COURT

Nathan Ochsner, Clerk of Court

for the

Southern District of Texas

Houston Division

Chloe Baker

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Lone Star Legal Aid

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

4:20cv3870

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

AMENDED COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Chloe Baker
Street Address	6935 Hockley Garden Ln
City and County	Houston
State and Zip Code	Texas 77049
Telephone Number	713-775-3077
E-mail Address	ChloeMBaker2014@gmail.com

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B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title *(if known)*. Attach additional pages if needed.

Defendant No. 1

Name	Lone Star Legal Aid
Job or Title <i>(if known)</i>	Organization
Street Address	500 Jefferson St
City and County	Houston
State and Zip Code	Texas 77002
Telephone Number	713-653-0077
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	

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III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☒ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)
10/15/18, 11/1/18, 11/20/18, 12/27/2018, 1/3/19, 1/17/19, 1/22/19, 1/31/19, 1/2020

C. I believe that defendant(s) *(check one)*:

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☒ race African American
- ☐ color _____
- ☐ gender/sex _____
- ☐ religion _____
- ☐ national origin _____
- ☐ age *(year of birth)* _____ *(only when asserting a claim of age discrimination.)*
- ☒ disability or perceived disability *(specify disability)*
PTSD, Depression

E. The facts of my case are as follows. Attach additional pages if needed.

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1. I am a African-American 60 % disabled military veteran with diagnosed PTSD.
2. Before my in-office complaint was filed, I was given a raise and my own office.
3. I was terminated on my last day of psychiatrically ordered bed rest.
4. I have filed multiple complaints within the organization and the EEOC for the adverse actions taken against me.

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

2/20/2019 & 5/21/2020

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 8/21/2020 .

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

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1. Back pay (\$70,000)
 - a. If the adverse actions taken against me had not happened, it is my belief that I would still be employed by the defendant
2. Front pay (\$105,000)
 - a. I planned to stay in the unit as an income throughout my college career
3. Loss of benefits (\$275,000)
 - a. Health
 - b. Dental
 - c. Vision
 - d. Retirement Plan
4. Putative and general damages (\$400,000)
 - a. Mental Anguish
 - b. inconvenience
 - c. Loss of Employment of Life
 - d. Diagnosed Psychiatric Conditions
 - e. Reputational Harm

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 2/19/2021

Signature of Plaintiff

Printed Name of Plaintiff Chloe Baker

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

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Bar Number	
Name of Law Firm	
Street Address	
State and Zip Code	
Telephone Number	
E-mail Address	

III. Statement of Claim

Complaint of Discrimination

I, Chloe Baker, allege that I was harassed by co-workers and subordinates, Anna Martinez, Courtney Paulding, and Betty Dannhei; which led me to file a formal complaint on December 27, 2018. The events leading up to, during, and after are as follows:

1. On October 15, 2018, in our data system of notes, Betty Dannhei, Paralegal, falsely accused me of going against policy and referred to me as, "girl." Later on this same day, she saw me on the stair well and yelled to me, "Run, girl. Run."
2. On November 1, 2018, Anna Martinez, Intake Specialist, reported to Sonia Lopez, Directing Attorney, that I had taken an hour break. (Sonia Lopez's office was in Belton, Tx, Anna Martinez's office was located in Downtown Houston, Tx, and my office was located in the Houston VA Medical center.) Lili Morales, Assistant to the directing attorney, tried to take an hour of my PTO based off of this false allegation.
3. On November 20, 2018, Anna Martinez refused to properly handle a workflow assigned to her by me. She fabricated her reasonings for me having to come to the Downtown Houston office and do it myself. (Houston VA office was a remote location that did not have all of the resources other offices were afforded.)
4. On December 27, 2018 a client came into the remote location VA (Chloe Baker's office) and told me they had called the LSLA hotline (Anna Martinez) to check on his pending case in recent days. Instead he was told by Anna Martinez to file a complaint on me, Chloe Baker. This was never client's intent, he just wanted an update. Once I heard this news, I filed a formal complaint with Sonia Lopez who immediately ran it up the chain to Ernest Brown, Deputy Director, and Pamela Sotoodeh, Director of Administration.

The entire office closed for the holidays. Ernest Brown scheduled a meeting with me to discuss these complaints on January 17, 2019. Between the filing of the complaint and the meeting, the following incidents occurred in the office setting:

5. On January 3, 2019, everyone's first day back in office, Anna Martinez told office co-workers that I, Chloe Baker, "kissed [Sonia Lopez's] butt," to get the remote office promotion at the Houston VA hospital.
6. On the same day, January 3, 2019, Courtney Paulding referred to me as "the little helper," in Practice Manager data notes. I immediately reported this to our directing attorney and supervisor, Sonia Lopez due to it's racial connotation.
7. Lastly on January 3, 2019, Anna Martinez wrote a note in Practice Manager referring to me as, "the young black girl at the VA." Immediately reported this to our directing attorney and supervisor, Sonia Lopez via email and pointed out the pattern of disparate treatment.

8. On the day of January 4, 2019, I was denied travel voucher expenses due to Assistant of Directing Attorney not signing off. By this date, I had 3 months of travel vouchers owed to me. The reasoning was later dismissed by Sonia Lopez and signed off as turned in.

9. On January 17, 2019, Ernest Brown met with me at 500 Fannin to discuss the complaint. I expressed to him the adverse working conditions at the remote location such as not having a printer, having to use my personal telephone to call clients and applicants, not having a copier, and not having weekly meetings with my Staffing and Directing Attorneys like every other Paralegal in the unit. Ernest Brown told me that I was being sensitive and suggested that I move to a different unit in the organization.

10. On January 22, 2019, Jalanda Phillips, a Paralegal from the Belton, Tx office, assigned me 41 of Anna Martinez's Intake Specialist tasks. At the time, I was reporting directly to Mariah Nolan, Staff Attorney, and this would be where my workflows would come from.

11. On this same day January 22, 2019, I went to seek help from my psychiatrist and was immediately put-on bed rest for PTSD and depression flare ups caused by a hostile work environment until February 1, 2019.

12. On January 31, 2019 Pamela Sotoodeh sent a memo on behalf of Ernest Brown with an incorrectly dated response to my December 27, 2018 complaint showing he found no evidence of discrimination or wrong-doing.

13. Also, on January 31, 2019, one day before I was scheduled to return from sick leave, Pamela Sotoodeh sent a termination of my temporary work agreement on behalf of Ernest Brown.

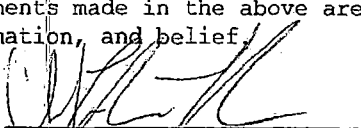
14. I continued to work at 2929 McKinney St. referring clients and applicants to Lone Star Legal Aid. On January of 2020, I had an appointment with Courtney Porter, a Staff Attorney with Lone Star Legal Aid. Anna Martinez chased me down the hall and told me I did not belong in that part of the building.

I believe the actions taken against me were adverse and I was retaliated against for filing an in-office complaint by Sonia Lopez, Ernest Brown, and Pamela Sotoodeh. I had also been denied reasonable accommodations while at a remote location by Lone Star Legal Aid.

DECLARATION

I, the undersigned, declare under penalty of perjury that the foregoing statements made in the above are true and correct to the best of my knowledge, information, and belief.

(sign)
Name



11/17/2020
Date